South Atlantic States, westerly winds, warmer, clear weather, and stationary or falling barometer will prevail. .

winds and rain in Texas. For Tennessee and the Ohio Valley, warmer, southwest winds, falling barome-

ter, and clear weather. For the Middle States, rising barometer, cooler, northwest backing to southwest winds, partly cloudy or clearing weather.

THE WEATHER ON SATURDAY WAS clear and

THERMOMETER SATURDAY: 6 A. M., 35; 9 A. M., 87; noon, 49; 3 P. M., 47; 6 P. M., 43; midnight, 34.

[Communicated.] Opinion of Judge Anderson in the Case of William Fay vs. Common-

This is a prosecution in fact, for obtain-

ing money on false pretences, which is made larceny by the statute; and the indictment is for larceny. It is a reasonable proposition that upon this indictment it is necessary for the Commonwealth to prove every fact which would be required to be alleged in an indictment for obtaining money on false pretences; and in such indictment it would be a material allegation that the money was obtained by the false pretence alleged, and therefore was necessary to be proved in this indictment in order to a conviction. The false pretence must be the instrument of the cheat. (Bishop on Criminal Law, section 437.) The pretence need not have been the only inducement. If operating either alone or with other causes it had a controlling influence; so that but for it the person to whom it was addressed would not have yielded, it is sufficient. In 179) Morton J. stated the true doctrine thus: That the false pretences, either with or without the cooperation of other causes, had owner, so that without their weight he would not have parted with his property." In People vs. Haynes (11 Wend., 557; 14 Wend., 546) Chancellor Walworth employed above the First locks. Grant's forehead, much the same language, saying: "It is not over the right eye, had signs of a severe necessary to constitute the offence of obtaining goods by false pretences that the had no marks or scars of consequence. owner should have been induced to part with his property solely and entirely by pretences which were false, but if the jury owner to part with his property, and that the defendant would not have obtained the peradded to statements which may have towards any one. He stated that when he een true, or to other circumstances having a partial influence upon the mind of the owner, they will be justified in finding the defendant guilty of the offence charged within the letter as well as the spirit of the statute on the subject." Other inducements may have combined with the false pretences to induce the owner to part with his property, but it must appear that but for the

false pretences the owner would not have parted with his property; that they had the controlling, prevailing influence. (Arnold's case, 24 Gratt., 567.) The only proof of any false pretence in this case, or that the prisoner made any statement that was not strictly true, is that he said he was the owner of the lots. It the spring of 1873 the prisoner had an interview with George E. Bowden, the owner of two lots of land, in which Bowden expressed his willingness to sell the two lots together for \$300, but declared that he would not sell them separately, and that afterwards in the latter part of January, 1874, the prisoner sold one of them to Nelson Randolph (a colored man) for \$200, telling him he owned them; that Randolph paid him \$50 in cash, and agreed to pay the balance in monthly instalments of \$15 each. It is contended for the Commonwealth that telling him that he was the owner of the lot" was a false pretence. But it is not proved that he (Randolph) was influenced by that declaration to make the purchase, and that he would not have purchased and made the cash payment but for that declaration of prisoner. Nor can it be inferred. It is rather to be presumed that 6 o'clock last Sunday evening Policeman Randolph, desiring to have the lot, would Hobson saw, on Main street near Ninth, have accepted the offer of the prisoner if he Grant and a friend walking along. Grant had said nothing to him about the owner- was pretty tight and unruly, and had his ship, as he made no inquiry of him about it | coat off. Stuart and another man were so far as the record shows. It does not appear that the declaration made by the prisoner was made in response to an inquiry made by Randolph, but seems to have been incidentally mentioned by the prisoner. This defect in the proof, if it had been in have bimself. Grant didn't regard the adthe allegations of an indictment for ob- vice at all, and Hobson took him into cus- Mr. William Roberts, the wire-sign manutaining money on false pretences, would tody, and proceeded on the way to the facturer, has been discharged from custohave been fatal on demurrer, and it would seem ought to avail the prisoner as effectually in this proceeding. The Court is of opinion, therefore, that upon this ground the verdict was contrary to the law and the evidence, and ought to have been set aside. The Court is further of opinion that unless the selling was by talse pretence, with intent to defraud the buyer, the case is not within the statute. It follows that the fraudulent intent must have existed at the time the false pretences were made by which the money was obtained. If there was an intention by the prisoner to defraud Randolph he could not have intended, when he sold to him the lot and received fifty dollars in part of the price, ever to pass to him title for the same. But the facts as certified by the Court show the contrary. It is a fair inference from them that he had previously been in treaty with Bowden for the purchase of the lots, and expressed it, "I managed to throw Stuart ascertained that he could purchase them together for \$300, and was well satisfied went down in a lump." Hatcher declared that all that was necessary for him to do was to accept Bowder's offer and the lots were his. And finding that he could sell each lot for \$200, and make a handsome speculation, he determined to take them at Bowden's offer, and considered them as virtually his. It is evident that he had no purpose to cheat Randolph by inveigling him to pay him his money for property which he had no right to sell him, and for which he could not and did not intend to make him a title. This is shown by the fact that a few days after the sale to Randolph he went to Bowden and completed the contract of purchase with him, paying him in cash fifty dollars, the money or the amount he had received from Randolph, and executing his notes for the deferred payments, and entering into articles of

conduct he showed a bona fide intention

T See to the control of the control RICHMOND. VA., MONDAY MORNING. FEBRUARY 19, 1877.

afterwards received from Randolph, though | two policemen, particularly at Charterin small sums, he ought to have turned and the latter struck Stuart once or twice over to Bowden, until he had secured title to on the legs, and once, not heavily, on the Letter from General Wickham to the Randolph, and to have run no risk of not head.

About the necessity of this blow on the being able to make the payments to Bowden when they fell due. But it would be a head there was some little contrariety of harsh judgment to say that his not doing so opinion, inasmuch as Charter and Fensom evidenced an intention to cheat and defraud | both had Stuart by the arms. Hobson said more just, to conclude that he calculated Stuart to the station-house without using upon being able, and bona fide intended, to the club. The citizens about there at the

A middle-aged man, who denounced the police loudly, was arrested, but soon after released. Sergeant Perrin, an old and ure to fulfil his contract and to secure Ran- trustworthy officer, said "the man used rough and threatening language."

STUART VIOLENT AGAIN. Stuart was carried on to the Second stalittle at one point by Policeman Walton. He was hitting and kicking all along. At the New Market Stuart tripped Charter, and Charter fell heavily on the pavement, and Fensom pressed Stuart to the ground in the struggle which followed. In the station-house he was also violent.

GRANT IN CUSTODY. Policeman Skinner carried Grant on up Seventh street towards the station-house, and Grant, who was much drunker than Upon the foregoing grounds the Court is Stuart-if, indeed, the latter was drunk at of opinion to reverse the judgment and to all-imitated Stuart's tricks. He had exbausted Skinner's patience by the time they got to the Seventh-Street Christian church, At the corner there Grant caught Skinner [A nolle prosequi was afterwards entered in the collar; there was a tussle, and Skinner struck him on the forehead with his club, knocking him down. Grant had hardly touched the ground before Walton and Perrin were at Skinner's side.

The citizens who were assembled around Grant, seeing the three policemen present, protested that they ought not to have clubbed Grant. One of the young gentlemen stated that he

heard Perriu say: "There were two of Why did you strike him," or words to that effect; and Skinner answered, "Be-Perrin says that in coming up to Skinner's aid, he saw Skinner's upraised arm; ORATE TESTIMONY PRO AND CON-UNAN- that he called to Skinner not to strike; that

Skinner did not hear him; and that after that blow he told Skinner not to strike and Ohio Railroad Company would not again, as there were two of them there. GRANT STILL FIGHTING. Four policemen had to "tote" Grant to inquiring into a complaint as to ill-treat- the station-house. He kicked and fought

THE VERDICT. The testimony in greater detail might be riven. But it would only go to prove that Grant and the two others with him mediblow, but Stuart, as far as could be seen, tated rescuing Stuart from Hobson before aid came to the latter; that Stuart treated Charter worse than Charter treated him; Mr. Daniel from personal knowledge that Skinner was alone with Grant when he are satisfied that the pretences proved to knew nothing of the occurrences. He was compelled, in self-defence, to hit him; have been false and fraudulent were a part thought, from the statements made to him, that most of the citizens, not knowing these of the moving causes which induced the that it was his duty to draw attention to circumstances, not unnaturally came to a the matter, and having done that he be- wrong conclusion; and finally, that sublieved that it was incumbent upon him to mission to the law officers is the best and do no more. He manifested no ill-feeling easiest course for those taken into custody. Policemen Skinner and Charter, and all the other members of the force concerned,

were honorably acquitted. LENTEN SERVICES IN THE EPISCOPAL CHURCHES .- The following are the hours Grant, citizens; Stuart and Grant, the pri- for services in the Episcopal churches duservices will be held every morning during the week, except Sunday, from 7:15 A. M. to 8 A. M., and on Wednesday from 8 Keesee, James Goode, C. B. Spence, and P. M. to 9 P. M., and on Friday from 12 to

Services will also be held on Monday at St. Mark's, Tuesday at Grace church, Wednesday at the Monumental, Thursday at St. For the first time in the history of the John's, and Friday at St. James church, at Police Board the newspaper reporters were | 44 P. M. On Tuesday, Thursday, and Satappears from the certificate of facts that in invited to be present—an opportunity of urday, at 7:15 A. M., services will be held which all the city papers availed themselves. | at St. Mark's; and at Grace church at 7:30

SPECIAL LENT SERVICES .- There will be special services at St. Peter's Cathedral every Sunday night at half-past 7 o'clock during Lent, at which Right Rev. James Gibbons will preach, except the 18th of March (he having to lecture in Philadelphia for the benefit of the House of the Good Shepherd on the 17th). The subject for the 18th instant (last night) was "Ceremonies of the Catholic Church."

LARGE SHIPMENT OF EGGS TO THE NORTH. One would scarcely believe it, but it is a fact, that upwards of seventeen thousand eggs were shipped by one concern on Friday to Philadelphia by the Southern Express Company from this city. Superintendent Gibson has reduced his express charges on eggs, and a vast number of them are now being sent to the North, to be used during Lent. The train leaving here on Sunday night carried fourteen hundred large crates of eggs, shipped by express to the City of Brotherly Love. The night train from Richmond reaches Philadelphia about 3 A. M., and the eggs arrive there in ample time for market.

ACQUITTED-THE SIGN MANUFACTURER .dy. There is no accusation against him here, and Sergeant Angle has received letters from Cincinnati and Rochester, N. Y., stating that he is not wanted in those places

for offences, as was heretofore said. PROFESSOR MINOR'S Sorree,-The last soirfe given by Professor Minor at Monticello Hallon Friday was one of the most enjoyable of the season, and we regret that we have not the space to give it the notice it deserves. The tableaux, "Washington Crossing the Delaware," was beautiful, and was gotten up in the Professor's best style, which is indeed saying a great deal for it. Master Eddie Paynter represented General Washington strikingly, and was assisted by Masters George and Willie Mountcastle, Isadore Becher, Willie Glenn, Charlie Hughes, Willie McDowell, Leon Straus, Willie Paynter, and Sam. Ragland. The fancy dances were beautiful, and admirably executed. Miss Katie Hunt danced a difficult medley hornpipe exquisitely; and Misses Mary Becher and - Tribbett executed their respective dances most man he ever saw." Stuart was drinky, but

The sailor's bornpipe was well executed by Masters Eddie Paynter, Albert Meyer, Charles Hughes, and Leon Straus. Profeshis entertainments, and especially so upon

Association Hall.—Dr. Taylor gave another of his very enjoyable exhibitions and the forbearance, courage, and gentleness of descriptive lectures at Association Hall Hobson. In the crowd which was collected Friday night to a large, very refined, and

On Thursday and Friday nights the Doctor will entertain the congregation of the So violently did Stuart resist, Hobson and Broad-Street Methodist church by two en-Hatcher were about fifteen or twenty min- tertainments in their lecture-room.

an advance of \$100 on the price he was to pay him for them, and requesting him when the purchase-money was paid to convey the lots respectively to his vendees. By this the entertainment numerous requests that it might be repeated were sent in. The that Handolph should get what he sold him, Sergeant Perrin was coming down Seventh children have consented to do so, and the and for which he had received the cash pay- street. The men ran forward to Hobson's programme, with some additions, will be programme, with some additions, will be

RAILROAD RIGHTS.

As the representative of the managers and owners of that property, it is my duty to guard their interests whenever assailed, and it is proper I should do so in this case. I do not propose to comment on the taste, temper, and time of this assault upon their rights, but simply by statements of dry facts and laws to refute all and singular the

THE GOVERNOR HAS ASSUMED.

And first, the sum expended on the Covington and Ohio railroad by the State was \$3,112,194.82 and not \$5,000,000, as the Governor states. The actual value of the work then done had greatly depreciated during the eight years which had passed since the State had stopped the construction, and at the time of the contract with the Virginia Central Railroad Company its actual value to the State was nothing, and would so have continued to this time had not that contract been made; and, furthermore, it is now a question whether the Chesapeake have been benefited pecuniarily by abandoning the whole, or nearly the whole, of the work previously done by the State and building a new line.

When carried to the Police Court next any forfeiture would accrue. The second road changed hands, and the new Board of cents on a pint, six cents on a pint, and a a decisive influence upon the mind of the and Lewis Stuart, Scotchmen by birth, re- morning Stuart and Grant were fined-one section of the act to incorporate the Cov- Directors doubted the advantage that would Section 4 of an act to provide for the completion of a line or lines of railroad from

> B. Fisk, Esq., late chief engineer, in his report and plans of said work."

"And they may select the mouth of Big Sandy river or the mouth of the Great Kanawha river as the Ohio terminus of their road, or may construct a branch of their

road to both points." Together with the contract with the Chesapeake and Ohio commissioners, these two acts constitute the charter of the Chesa-

peake and Ohio railroad.

This latter act, it will be seen, imposes no forfeiture in this connection, but really only enlarges our privileges as to building branches, whilst the former act designates only the Ohio river as the point to be eached, and there is nothing therein to inhibit us from stopping at Guyandotte, Huntington, or any other point on the Ohio river that the company might deem best. To the Ohio river we put the road in operation on its whole line from Richmond two years before our charter required us to do so, and have thus fully complied with the requirements of the law.

or the requirements of our charter forbade the location of our western terminus at Huntington," and also "that great natural bstacles render it comparatively inaccessible to the river navigation of the West during the greater part of the year."

On the contrary, I assert that in regard to the combined water facilities and adaptability for the transfer of river freights it is far the best location between Guyandotte where we first strike the Ohio Valley) and the Sandy, and that on an average there are not three days in the year when freights can be brought by water from Cincinnati to the mouth of Sandy that they cannot be brought to Huntington; and I believe I can go further, and make the same remark of Huntington and a point on the

Third. The fact that we are claiming exemption from taxation is commented on with asperity. In this the managers of the road are but following the plainest dictates of their duty, and are acting in full conso-nance with an act of your honorable body passed April 20, 1874-Session Acts 1874,

IMMUNITY FROM TAXATION.

The facts of the case are that at the time the Virginia Central Railroad Company entered into the contract for the construction for. But in the plan of reorganization of the Chesapeake and Ohio railroad the law was construed not only by said company, but by the commissioners with whom they were contracting, as conferring upon the giving them stock in the new company an entire immunity from taxation, sor Minor is to be congratulated upon the company an entire immunity from taxation, uniform success that has always attended and this was one of the inducements operating upon the company to make the contract, as is shown by the agreed statement of facts in the suit referred to in the message of the Governor. It also appears from said statement that the State authorities themselves for a considerable time after the on the future success of the road, but I formation of the new company construed the law as exempting all of the property of more than it was when the contract was the company from taxation, and the Circuit | made. Court of the city of Richmond decided that it was exempt from all State taxes. The Court of Appeals reversed in part this judgment, A Success.—The children's entertainment to Venable-Street Baptist church Friday question involves one of the most valuable of March 20, 1876.

And now I must ask. Why the necessity rights of this company, and one which any manager of the road could not have yielded without dereliction of duty, without an appeal to the court of final resort. This action was contemplated by the act of 1874.

incorporators of this company.

are only of the disputer to the streems a tone time to those who leave

the courts of Virginia and West Virginia. | court? These commissioners have held open sessions for weeks, and not the slightest intimation of any improper application of funds has been made to them. Again, for over three months the books and property of the company, under the auspices of a act in the premises, and makes the certifi-ED-WHAT THE WORK COST-THE ADVAN- United States court, were in the hands of eate of that board conclusive, if in our fapersons peculiarly hostile to the owners of vor. Why has not that board been conthis road (put there in great part by the move- | vened? If any such claim as this, the makments of the Governor in that case referred ing of which I deplore much more for its to in his message). These parties would effect on the fair fame of the State than for have been greatly gratified to have been able any apprehensions of the result of the to make and sustain a charge of misapplica-tion or misappropriation of funds on the mitted to this board, created by law, to pass part of the managers of the road. They upon the question? employed lawyers and accountants to that end, but utterly failed, for the simple rea-

THE MEMORY OF THE DEAD. Fifth. The Governor tramples on the ferred stock of the company he says:

"If they were not valid or overclogged with conditions which made them worththe commissioners was based on delusion and misrepresentation."

The contract in which those subscriptions

were considered was one with the making of which none of the present managers and owners of this company had any connection whatever. It was the work of Edmund Fontaine, the long, time-honored president of the Virginia Central railroad, whose honsty, integrity, and devotion to the interests of his road and of the State were never and could never be questioned; of John B. Baldwin and George Bolling, both of whom are dead; and of Thomas S. Flournoy, William J. Robertsen, and R. H. Maury; and I can parties to that contract that the people of that they were parties to a contract " based

broken reed to rely upon to sustain a claim and alcoholic liquors. for forfeiture.

THE SUBSCRIPTIONS.

In three months after the signing of the contract with the commissioners the management of the Chesapeake and Ohio raillections of these subscriptions, because to many were attached conditions which, while pay any tax except where he sells to a resinot illegitimate, yet, in their judgment, af-

They therefore pressed on the work of construction with such funds as they could they are required to report all such sales to procure. Before the end of the year they the commissioner of the revenue, and pay found that, unaided, the Virginia Central Railroad Company could not build the road, even though they could realize par for their subscriptions (which certainly could not point at or near Covington, Alleghany have been done), and made arrangements county, Va., and connecting with the Virginia Central railroad by the way of the and build the road. They, in their turn, White Sulphur Springs and the valleys of considered it inadvisable to collect these Greenbrier river, New river, and Kanawha subscriptions, and proceeded at once to put are required to keep a record of all liquors river, to a point at or near the mouth of into the work their own money to an ex- so sold to others than licensed dealers untent greater by many, many millions than der severe penalties for failure to make the these discarded subscriptions.

Now, as this message states that the purpose of requiring these subscriptions was with the view of securing at least a partial guaranty of the funds necessary for completing the work," and as \$2,150,000 of these subscriptions were conditioned, as the law allowed, to be spent on a road the company had permission to build east of Charlottesville, and as the owners of the road put up at once sums far exceeding these subscriptions, I think I safely say there is

no point in this position. BENEFITS OF LIBERAL LEGISLATION.

the State is "not reaping the benefits of its | earefully examine the register, take down liberal legislation" towards this road I am and record in a book kept for the purpose sure he occupies an isolated position, and the number of drinks of wine, alcoholic that he will scarcely find a man of intelli- and malt liquors registered as sold within that flow to the people of this State from keeper, and the aggregate number of galthe operations of the Chesapeake and Ohio lons, or fractional parts thereof, of alcohorailroad who will concur with him.

THE COST OF THE ROAD.

Seventh. That the cost of this road has been immense no one knows better than the people from whom the Governor seems to wish to wrest it, and who have lost their millions. But the greater part of the money for this cost has been distributed amongst the people of Virginia, and the structure is here now for their great advantage. They should not complain. And if it be true that it has cost more per mile than any other road in America-which is by no means conceded-it must be remembered and prescribe heavy penalties for attempts that no other road in America has been to defraud the Commonwealth. For a combuilt with such light grades through so

The State itself had spent before the war | tor of registers at \$1,000 per annum, to give on the twenty-two miles between Covington and White Sulphur Springs \$2,527,-982.23; and to utilize that work and complete the road between those points has cost this company an additional sum of \$2,172,-381.34 in hard money, exclusive of all discounts and interest. With these figures it ping at the Exchange Hotel. is not difficult to see why this road is costly.

VIRGINIA NOT A LOSER. Eighth. What interest is the State in danger of losing in this road? Her object in ceding the unfinished work of the Covington and Ohio railroad to the Virginia Central railroad was to secure "the completion of a line of road" from the waters of the Chesapeake to the Ohio river. This object has been fully attained and a road of which its own builders and the people of two States can justly be proud exists. No loss has therefore accrued on this point to the State of Virginia. Under the disasters which have befallen

the company the only loss which the State could sustain would be the stock she owned in the Virginia Central railroad. Now, the value of that stock at the time the contract was made was but ten dollars per share when sold in lots of a very few shares, and had the State put its shares on the market they could not have been sold in all probability at all, or if sold would have only brought about what they would now sell which is proposed by the owners of the road it is intended that care shall be taken of all stockholders by pany to the extent they now hold in the old, less such slight pro-rata reduction as may be necessary to give unsecured floating-debt creditors stock to the amount will share alike with other stockholders. The future value of that stock will depend think it safe to say that it will be worth

GOVERNOR KEMPER'S COURSE. It is to this arrangement that Commis-

sioners Maury, Jones, and Cochran refer And now I must ask, Why the necessity

city of Richmond involving every interest was contemplated by the act of 1874.

HONESTY OF THE MANAGEMENT.

Fourth. The reflection cast upon the honsety of the management of this road, when the

NO. 43.

TERMS OF ADVERTISING CASH-INVARIABLY IN ARVANCE.

THE DISPATCH

DIRECT IMPORTATION OF SHERRY WINE TO sale and foreclosure, and then why in a RICHMOND.-Mesers. W. D. BLAIR & Co., 903 Main street, have just received from W. D. G. Duff Gordon, Port, St. Mary's, Spain, a large supply of different grade Sherries, l'ale and Dry. These wines are SUPERIOR, and are offered at very low figures.

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SAVE MONEY by having your printing done at the DISPATCH PRINTING-HOUSE. Good work, low prices, and satisfaction guaranteed.

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43 On all sales of Real Estate made between the 1st of January and last of June the tures is the present year haveto be paid by the murchaser On all sales made between the 1st of July and las of the year the taxes have to be paid by the seller [This custom was adopted about afteen years as by all the real estate agents in Richmond, and ap-plies to Richmond and vicinity.]

ROBERT B. LYNE, 12 M., farm in Henrico county, in Varina township.

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Swill be sold very low and on reasonable terms of payment, the DRUGS, FIXTURES, KEY, GOOD-WILL. &c., of a small store, well-located in this city, and doing a good paying business. Natisfactory reasons will be given for selling. Apply to GEORGE M. DREWRY, fo 19-d&swilt* 1014 Main street.

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Sugar, 5sc. per pound, within Jenkins & Misses Pebble Goat, a good school sewed. Co.; vinegar, 20c. per gallon, Lathrop & Misses Pebble Goat, a good school sewed. Lee; soap, 5c. per pound, Joseph Schooch; CHILDLEN'S BUTTON BOOTS, size 6 to 10, only \$1 worth \$1.75. At the old cheap store of

BROAD-BOTTOM, LOW-HEEL BATTERS, hand made, for old ladies; Ladies; Kid-Foxed Balmerals, \$2 10 82.50; Ladies; Pebble Goat Balmerals, \$2.50; Ladies; Pebble Goat side-laced Boots, \$3.50—all Philadelphia make. Gentlemen's, Boys', and Youth's Boots and Shoes, all prices. Repairing nearly and promptly done at W. P. W. TAYLOR'S. Fourth and Broad streets.

DEMOVAL. - Having removed

Wholesale department, No. 130ff Main street, ja 12-3m WINGO, ELLETT & ORUM?

DYEING, CLEANING, &c. MCKENNEY & CO.S STEAM-CLEAN-Manchester was very duli on Saturday except as to the markets, which were very well supplied and patronized, and prices were reasonable. The consequence was that the same of the consequence was that the consequence was that the consequence was that the same reasonable. The consequence was that the consequence was the consequence was that the consequence was the consequ

EXECUTOR'S NOTICE, .- Having quali-fied as executor of the estate of ANN R. BRIGHT, deceased, I hereby request all persons in-debted to said estate to make immediate payment to me, and all persons having claims against said estate are requested to present these to me, daily authenti-

BILL-HEADS, \$7 to \$10 per ream, at the

IS LARGER THAN THE COMBINED CIRCU- Randolph. It is more probable, and it is forty policemen couldn't have carried LATION OF ALL THE OTHER DAILY NEWS-PAPERS OF THE CITY make the payments to Bowden when they time remonstrated with Charter. fell due, from other sources, in which he was disappointed by misfortune, which re-WEATHER REPORT. INDICATIONS FOR SUNDAY .- For the duced him to bankruptcy, and that his faildolph's title was, though censurable, rather his misfortune than a crime. But he bad reduced the amount due on Randolph's lot For the Gulf States, southwest winds. to eighty-seven dollars, which Randolph warmer, partly cloudy weather, and falling paid to Bowden, and received his deed barometer, except, possibly, southeast with the approval of the prisoner, who, though discharged from his legal liability by the act of bankruptcy, revived it by his promise to refund the amount to Randolph. The Court is clearly of opinion that the evidence is wholly insufficient to establish the fraudulent intent, which conclusion is strengthened by the fact that the prisoner has resided in this city for twenty-seven years in good repute.

remand the cause. A copy-Test : GEORGE L. CHRISTIAN, C. C.

VOL. LI.

in the Hustings Court.]

LOCAL MATTERS. A SUNDAY SCENE.

Two Violent Prisoners and the Trou-

ble They Made. MEETING OF THE POLICE BOARD SATUR-DAY EVENING - THE DISTURBANCE OF cause he resisted." SUNDAY LAST INVESTIGATED-REPORT-ERS ADMITTED TO THE MEETING-ELAB-

IMOUS VERDICT OF THE BOARD. A meeting of the Board of Police Commissioners was held Saturday evening, with all the members present, for the purpose of ment of two prisoners by members of the all the way. Once he kicked Sweeney in a note to the above section the author says: force. Attention was first drawn to the the face. In the station-house he spat in "In Commonwealth vs. Drew (19 Pick., matter by a published communication Angle's face; and it took five men to search Thursday evening, of which Mr. R. T. bim. It was in testimony that Grant was Daniel, Jr., avowed himself the author. laid up several days from his hurt. The prisoners referred to were James Grant cently arrived here from Maryland, and \$5, the other \$2.50-for resisting the police. now employed and living at the Philadel-

> THE REPORTERS ON HAND. wrote the card he did not so much as know

phia quarry, on the north side of the river

the names of the policemen involved. There were examined to sustain the complaint Messrs. Otway Warwick, F. V. Samuels, W. Skelton, and William H. soners; William Scott, boarding-house ring Lent: At St. Paul's church early keeper at the quarry; Thomas Smyth, an services will be held every morning during employe at the quarry; and for the defence, Messrs. J. W. Lockwood, J. T. Thomas Hatcher, citizens: Sergeants An- 1P. M. gle and Perrin, of the police, and Police-

men Hobson, Fensom, Charter, Skinner, Walton, Toler, and Sweeney. Mayor Carrington presided, with Police-Jus- A. M. daily. tice White on his right and Judge Meredith on his left. The examination was thorough and complete, and the privilege of asking questions of witnesses was allowed police-

men, reporters, spectators, and all who were interested enough to do so. The testimony was in some respects contradictory. Different persons saw the affair from different points and in various lights. To some of these it appeared that Grant and Stuart were outrageously treated. They were honest and reasonable in their opinions about the matter, but could not know the whole story as it was told and explained Saturday evening.

THE CASE. The evidence, boiled down as much as possible, was to the following effect: About following behind them. Near Briggs's bakery Grant tried to get away from his friend. The friend tried to get him to go home. Grant acted so badly that Hobson went up to him and admonished him to be-

Second station-house with him.

A FLANK MOVEMENT. When near the wood-yard at the corner of Seventh and Main streets Stuart attempted to pull Grant from Hobson. Grant about that time asked to be allowed to put on his coat. Hobson loosed him to allow him to do so, Stuart caught hold of Hobson's club and held it, and Grant ran off up Seventh street. Hobson thereupon took Stuart into custody. Stuart laid down on the pavement, swore he would have to be carried off in a back, and behaved very badly. Hobson called upon Stuart's two friends to help him (Hobson), which they refused to do. Stuart was so violent that Hobson had to call upon Mr. Thomas Hatcher for assistance, and Mr. Hatcher did all he could. When they got Stuart on his feet again, Stuart fought so that he threw Hatcher to the ground, or, as Mr. Hatcher down by falling myself, and we all three that Stuart was the "strongest and activest

not drunk like his friend Grant. OFFICIAL FORBEARANCE. Mr. Hobson says that he would have felt justified in striking Stuart with his club, but the two friends were near at hand, ready for the rescue, and Grant was not far off. He hoped by gaining delay that Police | that of Friday evening. man Finnegan would soon come up, and they would then recapture Grant.

Every witness who saw him testified to about the corner there were some who in- cultivated audience. sisted that Hobson had the wrong man and ought to let him (Stuart) go.

agreement with him setting out the terms of the sale and purchase, informing him that he had sold each of the lots for \$200, at that he had sold each of the lots for \$200, at moint Hobson, finding himself followed by nd Franklin-just one square. At that the purchase-money was paid to convey the lots respectively to his vendees. By this REINFORCEMENTS.

At that moment the night relief under

Legislature.

THE GOVERNOR'S RECENT MESSAGE RE-VIEWED-THE RIGHTS OF THE CHESA-PEAKE AND OHIO RAILROAD AND OF THE STATE OF VIRGINIA CONSIDERED-THE MANAGEMENT OF THE COMPANY DEFEND-TAGES OF HUNTINGTON AS A RAILROAD

The following letter to the General Assembly was written in reply to the special message of Governor Kemper sent to the two houses on Friday concerning the interest tion-house by Charter and Fensom, aided a of the State in the Chesapeake and Ohio railroad:

CHESAPEARE AND OHIO RAILROAD, RECEIVER'S OFFICE, RICHMOND, VA., February 17, 1877. To the Honorable Members of the General

Assembly of Virginia: Gentlemen .- The Governor of Virginia vesterday sent you a message, in which he claimed a forfelture to the State of the property and franchises of the Chesapeake and Ohio Railroad Company.

positions

THE WESTERN TERMINUS.

Second. There was no designated point on the Ohio to which the road was required to be carried by any law of Virginia, at ington and Ohio Railroad Company, passed accrue to the company by enforcing the col-February, 1866-Session Acts 1865-'66, page 317-contains the only stipulation in regard to the Ohio river terminus to which n any law of Virginia touching the charter feeted their desirability. of the Chesapeake and Ohio Railroad Company any forfeiture attaches, and that is in these words: "Upon condition that it shall, within six months after its incorporation, as provided in the tenth section of this act. commence, and within six years complete, equip, and operate a railroad from some Scary creek, and thence to the Ohio river." PROVISIONS FOR COMPLETION OF THE ROAD.

the waters of the Chesapeake to the Ohio river, passed March 1, 1867-Session Acts 1866-'67, page 705-provides: "It shall be the duty of said company within six years after its organization to complete the railroad from Covington to the Ohio river in a style and with grades and curves not inferior to those adopted by C.

And then enlarges the scope and privileges of the company as follows:

THE QUESTION OF FORFEITURE.

I deny emphatically that "public policy

HUNTINGTON'S ADVANTAGES.

river twelve miles east of Cincinnati.

page 254.

ment, and conclusively repels the idea of an intent to cheat or defraud him in the sale. If, in his subsequent dealing with hand changed his purpose and sought to cheat and defrand him—which we think there is not—it could not make the previous act fraudilent and extrapolation and conclusively repels the idea of assistance. When Policeman Charter came up Stuart had hold of Hobson's club with sale. If, in his subsequent dealing with hands. Policemen Fensom and Charter came up Stuart had hold of Hobson's club with an honest forward.

Catawba Among the Legislators.—Brigger and sought to charge of Policeman Skinner, and they also the station-house with the forward.

Catawba Among the Legislators.—Brigger and titles should be one time soon.

Catawba Among the Legislators of the means controlled by the incorporators," is a most unjust attack on chirge of Policeman Skinner, and they also there is not—it could not make the previous act fraudilent and evining which we think there is not—it could not make the previous act fraudilent and conclusively repels the idea of assistance. When Policeman Charter came up Stuart had hold of Hobson's club with satisfance. When Policeman Charter came up Stuart had hold of Hobson's club with satisfance. When Policeman Charter came up Stuart had hold of Hobson's club with satisfance. While managers of this road, when the Governor uses the words "with an honest application of the means controlled by the incorporators," is a most unjust attack on which the Governor is president, has been invited to which the Governor is president, has been adjudged a lumator.—Serges of this road, when the Governor uses the words "with an honest application of the means controlled by the incorporators," is a most unjust attack on which the forward.

Catawba Among the legislators.—Mr. James P. Cowardin has been invited to which the forward.

**Persons that every question in which we had hold of Hobson's assistance. When the dealing with had hold of Hobson's application of the means controlled there is not—it could not make the previous act fraudulent and e-iminal which was bond fide and lawful. The payments which he lecture by a number of members of the peers of t

or improperly applied by any one of the | day fixed (with notice) for application for The accounts of this company have message sent to the General Assembly inbeen fully examined by commissioners of stead of submitting the question to the THE SUPPOSED FORFEITURE. Again: the 8th section of the act of Feb-

ruary 26, 1866-Acts 1865-'66, page, 318provides the mode of enforcing a forfeiture should it occur, and constitutes a board to

No benefit can accrue to the State from going into inquiry of this baseless claim, son that there had been no such misapplica- but much harm may accrue. The owners of this property are anxious to push forward the western connections. They cannot do so until the court has entered its denemory of the dead when in speaking of cree for sale and foreclosure. The only the subscriptions of \$3,500,000 to the pre- effect, therefore, of this move of the Governor will be to retard that decree and thus postpone that reorganization which must precede any movement towards those westless, then, in either case, the contract with ern connections, which all concede are necessary to the success of this road and to the prosperity of Virginia.

> WILLIAMS C. WICKHAM, Vice-President.

MOFFETT'S LIQUOR REGISTER. THE MAIN PROVISIONS OF THE BILL AS REPORTED-A STRONG EFFORT MADE TO SECURE ITS ADOPTION.

Very respectfully, your obedient servant,

The Finance Committee on Friday reported to the House the bill to impose a tax upon the consumption of liquors and to compel the use of a register. The bill imsay of the three dead and of the three living poses a specific tax of ten dollars upon all ordinary and bar-room keepers and retail this State can never be brought to believe dealers for the use of the indicator or register. It requires ordinary and bar-room on delusion and misrepresentation," even keepers to register every drink sold by though the intimation is conveyed in a solthem, and imposes a tax of two cents on emn, special message of the Governor of each drink of wine, alcoholic liquor, or mixtures thereof, and one-half of a cent on each But pass on from this mere tribute to drink of malt liquor sold by them. Furhonored men to the facts connected with ther, it provides that they shall keep two these subscriptions, which are certainly a registers where they desire to sell both malt Retail dealers are required to keep a re-

> required to pay a tax of two cents thereon; that is to say, two cents on a half pint, four WHOLESALE DEALERS. The wholesale dealer is not required to

> dent of the State of Virginia other than a

licensed dealer, when he is required to pay

gister, and register every half pint or frac-

tional part thereof sold by them, and are

the taxes as other dealers pay them. MANUFACTURERS AND DISTILLERS. All manufacturers and distillers of ardent spirits are required to pay the same taxes residents other than licensed liquor-dealers. Both wholesale dealers and manufacturers

proper entries. It is provided, however,

that nothing in the sections relative to

wholesale dealers and manufacturers shall

apply to the sale of liquors to non-resi-DRUGGISTS.

dents.

The bill expressly places druggists who retail liquors on the same footing with dealers, and requires the same license and taxes. DUTIES OF COMMISSIONERS. The commissioners of the revenue are required to visit the places of business of all icensed liquor-dealers within their respective districts just previous to each term of Sixth. When the Governor intimates that the county or corporation court, and to

gence at all acquainted with the advantages | the last month by any bar-room or ordinary lic and malt liquor sold, registered as sold by any retail dealer, and certify the same to the Auditor and treasurer of the county or corporation within five days. And the dealer is required to pay the tax so reported within five days. The commissioner of the revenue is also required to report whether

the register has been tampered with and is in good order, and whether the dealer has complied with the provisions of the act. OTHER PEATURES. The remaining sections refer to the taking out of licenses and giving bonds by dealers, missioner to collude with a dealer would be felony. The Auditor is to employ an inspec-

It is certain that the bill will be warmly supported by many influential legislators. PERSONAL .- M. Ezekiel (sculptor), of Rome, Italy, formerly of Richmond, is stop-

instructions in the use of the instrument.

death, on the 11th instant, of his daughter, Mrs. Octavia Reck, wife of the Rev. A. J Beck, of Atlanta, Georgia. mittee on Relief of the Poor has made the SELLING OFF AT COST following award of contracts for furnishing the city almshouse with supplies for the quarter ending in May next: Beef, \$5.87\frac{1}{2} gentlemen's Balmorals, \$1 worth \$1.50; per hundred, S. Schwartz; bacon, 7\frac{1}{2}c. per pound, William Jenkins & Co.; flour, \$7.20 per barrel, C. L. Todd; coffee, 20c. per pound, William Jenkins & Co.; A sugar, 11\frac{1}{2}c. per pound, C. L. Todd & Co.; brown sugar, 9\frac{1}{2}c. per pound, William Jenkins & Milliam Jenkins &

The Rev. E. W. Warren, D. D., of this

city, has suffered a severe affliction in the

molasses, 27tc. per gallon, D. O. Davis & Co.; salt, \$1.60 per sack, Lathrop & Lee. SUPREME COURT OF APPEALS, SATURDAY .-County of Dinwiddle vs. Stuart, Buchanan & Co. Further argued by Samuel D. Davies and B. J. Epes, Esqs., and Judge Ould,

sugar, 9fc. per pound, William Jenkins &

POLICE COURT, SATURDAY. - James Bannister (colored), guilty of stealing one lot of tobacco from Turpin & Brother, was sent to jail for thirty days, with ten stripes added. Frank Perry and Sterling Phelps (white). guilty of stealing two oars valued at \$3. Perry was sent to jail for ninety days, with of their debts. In this arrangement the State ten stripes added. Phelps ninety days, with five stripes added. Subsequently the stripes were remitted in the case of Phelps.

and continued until to-day.

to the grand jury of the Hustings Court. Harper's Monthly and Demorest's Maga zine for March received from J. T. Ellyson,

George Planz, guilty of stealing one ham

valued at \$2 from James C. Hardy, was sent

MANCHENTER NEWS.

more than twelve months past a suit has been pending in the Circuit Court of the there was an unusual number of good chesper than North or elsewhere. Le

ditious manner. AUCTION SALES THIS DAY.

BUSINESS CHANCES.

BOOKS, STATIONERY, &c.

Heavenward"; \$1.50. Upon recomprise books mailed to any address.

WEST, JOHNSTON & CO.,

911 Main street. LEAF TOBACCO-BOOKS,

RANDOLPH & ENGLISH, a tax of thirty-two cents per gallon, and Bookstore and Bindery.

Books, and Hymnals. fe 14 WOODHOUSE & PARHAM.

BOOTS. SHOES. &c.

[fe 15] MAY'S, 607 Broad street.

MAY'S, 607 Broad street.

MAY'S, 607 Broad street.

EXTRAORDINARY!

No DECEPTION! \$1.50 for MISSES' SCHOOL-SHOES.

NO HUMBUG! \$2.50 for GENTLEMEN'S CALF LACE-SHOES MAY'S, 607 Broad street.

1523 Main street (not James Golden).

Chart val. department to No. 1000 (Shafer building), corner Main and Teath streets, we beg leave to inform our friends and the public that we will keep constantly on hand a complete assortment of Ladies', Misses', Children's, Boys', Youthe', and Gentlemen's Boots and Shoos; also, Trunks, Shawl-Straps, &c. A call solicited.

Misses, J. P. Heatri (bite with Putney & Waits and V. S. Carlton are with us and will be pleased to see their friends.

Wholesale department, No. 1308 Main street.

GENTLEMEN'S, BOYS', AND Youths' Boots, Shoes, Shopers, Brogans, &c., Trunks, Valises, and Satchels of Carry de-